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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,330	02/17/2004	Gilbert Wolrich	10559-127002 / P7866C/I	1102
20985	7590	08/20/2007		
FISH & RICHARDSON, PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER THAMMAVONG, PRASITH	
			ART UNIT	PAPER NUMBER
			2187	
			MAIL DATE	DELIVERY MODE
			08/20/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/780,330

Examiner

Prasith Thammavong

Applicant(s)

WOLRICH ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 07 June 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. *Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).*
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See continuation sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

**Continuation Sheet**

The Amendment filed on 6/7/07 fails to comply with 37 CFR 1.121. The previous claims were from the Preliminary Amendment presented on 2/7/05. Below are examples of why they fail to comply:

**Claim 28:**

Line 2: The word "~~engines~~" should be removed from the text as it was previously deleted on the Preliminary Amendment dated 2/7/05. The word "units" should not be underlined as it was previously presented on the Preliminary Amendment dated 2/7/05.

Line 3: The word "circuitry" should be underlined if it is an addition to the claim. The word "logic" has been left out from the claim.

Line 4: The word "~~engines~~" should be removed from the text as it was previously deleted on the Preliminary Amendment dated 2/7/05. The word "units" should not be underlined as it was previously presented on the Preliminary Amendment dated 2/7/05.

Last line: The "." seems to be added; however there was a previous "." which was not deleted and it is unclear to the record the status of the ".".

**Claim 36:**

Lines 2 and 4: The word "~~engines~~" should be removed from the text as it was previously deleted on the Preliminary Amendment dated 2/7/05. The word "units" should not be underlined as it was previously presented on the Preliminary Amendment dated 2/7/05.

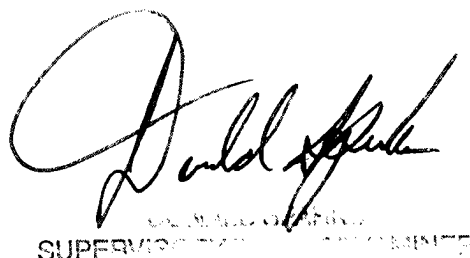
**Claim 44:**

Lines 2 and 3: The word "Ethernet" should be underlined if it is an addition to the claim.

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Line 5: The word "engines" should be removed from the text as it was previously deleted on the Preliminary Amendment dated 2/7/05. The word "units" should not be underlined as it was previously presented on the Preliminary Amendment dated 2/7/05.

**Above are ONLY a few inconsistencies found**, but does not comprise all the inconsistencies that do not comply with 37 CFR 1.121 in the amendment dated 6/7/07. Appropriate correction is required.



Donald J. Smith  
SUPERVISOR OF PATENT EXAMINERS